

MHH  
Eastern Division  
Cook

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**RECEIVED**

2-11-2009

FEB 11 2009

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

JOHN HARPER

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

**09CV878**

**JUDGE HIBBLER**

**MAG. JUDGE MASON**

vs.  
Cook County Sheriff

C.O. DAVIS

Cook County Sheriff

JANE DOE

Cook County Sheriff

MS LEE

Cook County Sheriff

FERGUSON

Cook County Sheriff

SUPERINTENDENT SNOOK

I.D.O. Law Clerk

SHARON L. McCURKIE

(Enter above the full name of ALL ALL DEFENDANTS SUED  
defendants in this action. Do not IN HIS OFFICIAL AND  
use "et al.") INDIVIDUAL CAPACITIES

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

## I. Plaintiff(s):

- A. Name: JOHN HARPER
- B. List all aliases: NONE
- C. Prisoner identification number: N 51944
- D. Place of present confinement: PINCKNEYVILLE
- E. Address: P.O. 999 PINCKNEYVILLE, IL 62274

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

## II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: MR COOK COUNTY SHERIFF DAVIS  
 Title: DEPARTMENT OF CORRECTIONS OFFICER  
 Place of Employment: COOK COUNTY JAIL
- B. Defendant: COOK COUNTY SHERIFF JANE DOE  
 Title: DEPARTMENT OF CORRECTIONS OFFICER  
 Place of Employment: COOK COUNTY JAIL
- C. Defendant: COOK COUNTY SHERIFF MS (MRS) LEE  
 Title: DEPARTMENT OF CORRECTIONS OFFICER  
 Place of Employment: COOK COUNTY JAIL

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

TO BE AWARDED  
COMPENSATORY DAMAGES IN AMOUNT OF 2,000,000  
FROM EACH DEFENDANT  
TO BE AWARDED  
PUNITIVE DAMAGES IN AMOUNT OF 2,000,000 FROM EACH  
DEFENDANT  
ANY AND ALL OTHER RELIEF THIS COURT SEES PROPER  
AND JUST.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 17 day of NOV, 2008

(Signature of plaintiff or plaintiffs)

John Harper

(Print name)

John Harper

(I.D. Number)

N-51944

(Address)

D DEFENDANT: COOK COUNTY SHERIFF FERGUSON  
TITLE : DEPARTMENT OF CORRECTIONS OFFICER  
PLACE OF EMPLOYMENT: COOK COUNTY JAIL

E DEFENDANT: COOK COUNTY SHERIFF SUPERINTENDENT SNOOK  
TITLE : DEPARTMENT OF CORRECTIONS OFFICER  
PLACE OF EMPLOYMENT: COOK COUNTY JAIL

F DEFENDANT: ~~XXXXXXXXXXXX~~ SHARON L. McCricle  
TITLE : I. D. O. C. LAW CLERK  
PLACE OF EMPLOYMENT: LAWRENCE CORR. CTR.

**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

- A. Name of case and docket number: \_\_\_\_\_
- B. Approximate date of filing lawsuit: \_\_\_\_\_
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: \_\_\_\_\_
- D. List all defendants: \_\_\_\_\_
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): \_\_\_\_\_
- F. Name of judge to whom case was assigned: \_\_\_\_\_
- G. Basic claim made: \_\_\_\_\_
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): \_\_\_\_\_
- I. Approximate date of disposition: \_\_\_\_\_

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

① PLAINTIFF JOHN HARPER, PRO SE BRINGS THIS COMPLAINT  
AGAINST SAID DEFENDANTS STATED ON 1<sup>ST</sup> PAGE.

② ON OR AROUND SEP-2006 DEFENDANT DAVIS MALICIOUSLY  
AND SADISTICALLY ATTACKED ME USING EXCESSIVE FORCE  
VIOLATING MY 8<sup>TH</sup> AMENDMENT RIGHT. I WAS A INMATE OF  
COOK COUNTY JAIL AT TIME IN DIVISION 9, DECK 2B.

③ DURING 3-11 SHIFT THE DUES FOR GYM ROLLED.  
I ASKED THE WING OFFICER A QUESTION. HE TOLD ME TO  
STEP IN THE HALLWAY. I DID SO AS I AND WING OFFICER  
TALKED. I SAW OFFICER DAVIS WHO STATED TO ME TURN  
AROUND AFTER I DID DEFENDANT DAVIS HIT ME ON THE  
SIDE OF MY FACE AND KNOCKED ME OUT. AFTER I WAS KNOCKED  
OUT I WAS HANDCUFFED AND DAVIS CONTINUED TO STRIKE  
ME IN MY FACE AND THE BACK OF MY HEAD. UNDER COLOR OF  
STATE LAW AND WITHOUT JUSTIFICATION DEFENDANT  
DAVIS USE EXCESSIVE FORCE AGAINST PLAINTIFF CAUSING  
SERIOUS HARM TO PLAINTIFF AND AMOUNTS TO CRUEL AND  
UNUSUAL PUNISHMENT IN VIOLATION OF THE 8<sup>TH</sup> AMENDMENT,

TO THE UNITED STATES CONSTITUTION AND 42 U.S.C

1983.

2<sup>ND</sup> CLAUSE OF ACTION

A COUPLE DAYS OR SO AFTER THE ASSAULT

ON ME BY DEFENDANT DAVIS. I WAS IN HEALTH CARE AROUND 11 AM.

WHILE

~~DEFENDANT~~ DEFENDANT JANE DOE WAS WORKING THE HEALTH

CARE UNIT. I WAS ESCORTED FROM SEGREGATION TO HEALTH

CARE. DEFENDANT JANE DOE REMOVED MY HANDCUFF

SO I CAN BE SEEN BY THE DOCTOR. AS DEFENDANT

JANE DOE DID THIS SHE STATED. YEAH I'M

THE ONE WHO GOT YOU LOCKED UP. I'M THE ONE WHO GOT

YOU IN CHAINS. DEFENDANT JANE DOE WENT ON TO SAY

YEAH I'M THE ONE WHO GOT YOU BEAT UP BY DAVIS. (SPEAKING

OF BEFORE MENTION ASSAULT BY DEFENDANT DAVIS.) DEFENDANT

JANE DOE SAID YOU THOUGHT YOU WAS GOING TO GET AWAY

WITH HITTING MY DAUGHTER. (JALYONTIA MORRIS) DEFENDANT

JANE DOE SUBJECTED ME TO A VIOLATION OF MY 8<sup>TH</sup> AMENDMENT

WHEN JANE DOE ALLEGEDLY HAD DEFENDANT DAVIS

MALICIOUSLY AND SADISTICALLY ASSAULT ME USING

EXCESSIVE FORCE. DEFENDANT JANE DOE UNDER COLOR

OF STATE LAW AND WITHOUT JUSTIFICATION VIOLATED

PLAINTIFF'S CONSTITUTION RIGHT. 3<sup>RD</sup> CLAUSE OF ACTION

DEFENDANT MS. OR MRS LEE ALSO A SHERIFF OF COOK COUNTY

JAIL VIOLATED PLAINTIFF'S CONSTITUTION RIGHTS AND

IN SUPPORT OF STATES THE FOLLOWING. PLAINTIFF WHILE  
 IN SEGREGATION AT COOK COUNTY JAIL WAS ARRIVING BACK  
 TO DIVISION 9 FROM COURT. ABOUT A WEEK OR SO FROM THE  
 "EXCESSIVE FORCE" ASSAULT USED ON PLAINTIFF BY DEFENDANT  
 DAVIS. PLAINTIFF SEEN DEFENDANT MS. OR MRS. LEE.  
 SHE STATED TO PLAINTIFF SHE AND HER SISTER DEFENDANT  
 JANE DOE HAD ME BEAT UP BY DEFENDANT DAVIS.  
 SHE STATED ALSO THERES NO NEED TO FILE GRIEVANCES BECAUSE  
 THEY ONLY DISAPPEAR. DEFENDANT MS. OR MRS. LEE STATED  
 "DO YOU THINK YOU'LL GET ALONG WITH HETTING MY NEICE."  
 SPEAKING OF A ALLEGED INCIDENT THAT ALLEGEDLY OCCURED  
 TO JALYONTA MORRIS. ACCORDING TO MS. OR MRS. LEE  
 STATEMENT ALLEGEDLY HAVING PLAINTIFF BEAT UP BY  
 DEFENDANT DAVIS UNDER COLOR OF STATE LAW DEFENDANT  
 MRS. LEE VIOLATED PLAINTIFF'S 8TH AMENDMENT RIGHTS  
 TO BE FREE FROM UNUSUAL PUNISHMENT AND DID SO WITHOUT  
 JUSTIFICATION AND ILL INTENT. <sup>4TH CLAUSE OF ACTION</sup>  
 DEFENDANT FERGERSON PRIOR TO ASSAULT BY DEFENDANT  
 DAVIS ESCORTED PLAINTIFF INTO THE COURT ROOM 305  
 ABOUT A MONTH BEFORE THE DAVIS ASSAULT. WHILE DOING  
 SO HE TIGHTEN PLAINTIFF HANDCUFFS UNTILL HIS WRIST  
 WAS BLEEDING. HE ALSO RAMMED PLAINTIFF HEAD AGAINST



THE WALL TWO TIMES CAUSING DIZZINESS AND SWELLING. DEFENDANT FERGERTSON STATED TO PLAINTIFF YOU MIGHT AS WELL CUP OUT. FERGERTSON WENT ON TO SAY YOU MESSED WITH THE WRONG GIRL YOU DIDNT KNOW SHE HAD CONNECTION. FERGERTSON ALSO STATED IM GOING TO MAKE YOUR STAY AT THE COUNTY JAIL A LIVING HELL. DEFENDANT FERGERTSON, MALICIOUSLY AND SADISTICALLY ATTACKED PLAINTIFF USING EXCESSIVE FORCE. UNDER COLOR OF STATE LAW AND WITH OUT JUSTIFICATION DEFENDANT DAVIS VIOLATED PLAINTIFF'S 8TH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION.

5TH CLAUSE OF ACTION ON THE DAY OF THE ATTACK BY DEFENDANT DAVIS, DAVIS AFTER BEATING UP PLAINTIFF AND HANDCUFFING HIM ESCORTED PLAINTIFF TO THE SUPERINTENDENT OFFICE. WHILE ESCORTING PLAINTIFF TO THE OFFICE DEFENDANT DAVIS ~~ASKED~~<sup>ASK</sup> PLAINTIFF YOU LIKE TO HIT WOMEN? HOW YOU LIKE IT? WHEN PLAINTIFF ARRIVED TO SUPERINTENDENT OFFICE, DEFENDANT SNOOK STATED "WE'LL KILL YOU IN HERE." DEFENDANT SNOOK STATED TO PLAINTIFF "IF YOU FILE A GRIEVANCE" ("SPEAKING OF DEFENDANT DAVIS USE OF EXCESSIVE FORCE") I'LL HAVE YOU SET UP AND THEY'LL FIND A KNIFE IN

YOUR PROPERTY AND I'LL MAKE SURE YOU GET CHARGED."

DEFENDANT SNOOK USING HIS OFFICIAL INFLUENCE TO ATTEMPT TO THWART PLAINTIFF'S RIGHT TO FILE GRIEVANCES. DEFENDANT SNOOK SUBJECTED PLAINTIFF TO A VIOLATION OF HIS 1<sup>ST</sup> AMENDMENT RIGHT TO BE <sup>FREE</sup> FROM RETALIATION, WHICH VIOLATED PLAINTIFF RIGHTS UNDER THE 1<sup>ST</sup> AND FOURTEETH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

6TH CLAUSE OF ACTION

DEFENDANT SHARON McCORKLE VIOLATED PLAINTIFF'S 14<sup>TH</sup> AMENDMENT DUE PROCESS RIGHTS BY DENYING HIM ACCESS TO COURT. McCORKLE IS THE LAW CLERK AT LAWRENCE CORR. CTR. SHE IS IN CHARGE FOR HAVING INMATES CALLED TO LAW LIBRARY AND OVERSEEING THE LAW LIBRARY. McCORKLE ~~FAILED~~ FAILED TO HAVE PLAINTIFF ADEQUATELY CALLED TO LAW LIBRARY TO WORK ON HIS PRO-SE 1983 CLAIM (THUS BEING FILED). DEFENDANT McCORKLE STATED TO THE LEGAL CLERKS (INMATES) NOT TO HELP PLAINTIFF FILE HIS CLAIM THUS HINDERING PLAINTIFF, AND VIOLATING HIS 14<sup>TH</sup> AMENDMENT RIGHT. PLAINTIFF HAS A OVERALL 4<sup>TH</sup> GRADE EDUCATION. ACCORDING TO THE TABE TEST RESULTS TOOKEN AT LAWRENCE CORR CTR. IF DEFENDANT McCORKLE HAD NOT DENIED

PLAINTIFF'S 14<sup>TH</sup> AMENDMENT RIGHTS  
TO DUE PROCESS DENYING HIM ACCESS TO COURT  
PLAINTIFF WOULD HAVE FILED THIS CLAIM AT  
THE PROPER TIME. UNDER COLOR OF STATE LAW  
DEFENDANT McCORKLE WITHOUT JUSTIFICATION  
DENIED PLAINTIFF ACCESS TO COURT AND VIOLATED  
PLAINTIFF'S 14<sup>TH</sup> AMENDMENT RIGHTS. PLAINTIFF  
WAS TRANSFERRED TO LAWRENCE CORR. CTR. ON OR AROUND JULY 07. STILL HAVING TIME  
TO FILE HIS LAWSUIT BEFORE THE 2 YRS IS UP IF IT WASN'T FOR CLASS 6TH.  
PLAINTIFF RECEIVED SUBSTANTIAL  
PHYSICAL INJURY AND PSYCHOLOGICAL TRAUMA AND  
EMOTIONAL DISTRESS.